

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JOSE ROBLES,

Defendant.

08 Cr. 1114-1 (PAE)

OPINION & ORDER

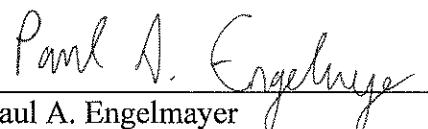
PAUL A. ENGELMAYER, District Judge:

On August 4, 2022, this Court granted the motion pursuant to 18 U.S.C. § 3582(c)(1)(A) of defendant Jose Robles for a reduction of sentence. *See* Dkt. 104. The Court reduced Robles' aggregate sentence, imposed by the late Judge Sweet, from 35 years to a total of 18 years. *See id.* (decision granting reduction of sentence); *see also* Dkt. 100 (earlier decision, setting out Court's intention to reduce sentence upon Robles' exhaustion of administrative remedies). The Court's decisions on Robles' application reflected a painstaking assessment of the available arguments and the applicable sentencing factors. *See* Dkt. 100 at 6–23; Dkt. 104 at 3–5.

Robles, proceeding *pro se*, now moves again for a reduction of sentence, to a sentence of time served, which would expedite his release date by a little over one year. Dkt. 106. The Court summarily denies this motion, for the reasons stated by the Government in its opposition. Dkt. 108. In brief: Robles did not exhaust his administrative remedies before so moving for a second sentencing reduction; even if he had, the Court has fully considered all factors relevant to the just sentence; and Robles has not identified additional facts warranting a sentence reduction, let alone facts rising to the level of "extraordinary and compelling reasons" justifying such a reduction. *See id.* at 4–5. Moreover, as the Government explains, Robles' arguments based on

the First Step Act, and on the decision in *United States v. Taylor*, 142 S. Ct. 2015 (2022), misapprehend the law. *See id.* at 5.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: February 15, 2023
New York, New York